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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RONALD A. RILEY, AK-8743,

PLAINTIFF:

CIVIL ACTION NO. 1:00-cv-00485

-VS-

HORN, et al.

DEFENDANT'S:

FILED
HARRISBURG, PA

APR 14 2000

MARY E. D'ANDREA, CLERK
Per Deputy Clerk

PLAINTIFF'S MEMORANDUM OF LAW IN
SUPPORT OF MOTION FOR APPOINTMENT
OF COUNSEL.

TO THE HONORABLE SYLVIA H. RAMBO, JUDGE:

Named Plaintiff RONALD A. RILEY, AK-8743, "pro se", files this herein Memorandum Of Law In Support Of Motion For Appointment Of Counsel.

1. The informa pauperis law, 28 U.S.C. §1915 (b), allows a U.S District Judge to "request an attorney to represent any such person unable to employ counsel." On the basis of this law, District Judges frequently have appointed lawyers for prisoners who file §1983 suits on their own behalf.

2. In HUDSON V. HARDY, 412 F. 2d 1091, 1095 (D.C. Cir. 1968), another Court of Appeals said that it is the District Courts "plain duty to appoint counsel " to help defend "when necessary to insure

that an indigent prisoner's allegations receive fair consideration." See also GORDON V. LEEKS, 574 F.2d 1147, 1153 (4th Cir. 1978), where the Court ruled in a prison case that: "If it is apparent to the District Court that a pro se litigant has a colorable claim but lacks the capacity to present it, the District Court should appoint Counsel to assist him."

3. The Plaintiff is an indigent prisoner with very limited legal skills and training, a factor that supports the appointment of Counsel; WHISENANT V. YUAM, 739 F.2d 160, 163 (4th Cir. 1984).

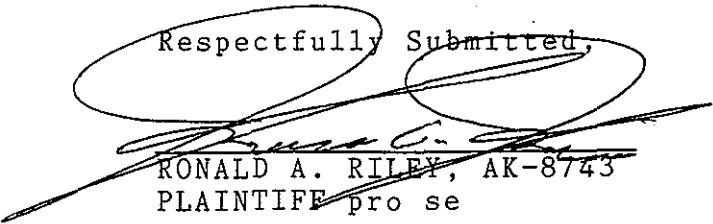
4. The large number of Defendant's, and claims against the Defendant's, some who are Supervisory Officials, present complex legal issues of determining which Defendant's were responsible for the violations of Plaintiff's protected rights under the U.S. Constitution. In addition, the Plaintiff has requested a Trial By Jury, which requires Greater Legal Skills then the Plaintiff has or can develop in such period of time. ABDULLAH V. GUNTER, 949 F.2d 1032, 1035 (8th Cir. 1991) (citing Jury Trial Demand as a Factor Supporting Appointment Of Counsel); 112 S. Ct. 1995 (1992).

C O N C L U S I O N

WHEREFORE, Named Plaintiff RONALD A. RILEY, AK-8743, "pro se" respectfully request this Honorable Court to appoint Counsel to assist Plaintiff with his Constitutional Claims before this Honorable Court.

DATED: 4-12-2000

Respectfully Submitted,


RONALD A. RILEY, AK-8743
PLAINTIFF pro se
1100 PIKE STREET
HUNTINGDON, PA 16654